IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

L.E., by next friends and parents,)
SHELLEY ESQUIVEL and)
MARIO ESQUIVEL,)
Plaintiff,)) No. 3:21-cv-00835
v.)
) Chief Judge Crenshaw
BILL LEE, in his official capacity as)
Governor of Tennessee; et al.,) Magistrate Judge Newbern
KNOX COUNTY BOARD OF)
EDUCATION a/k/a KNOX COUNTY)
SCHOOL DISTRICT; et al.,)
,)
Defendants.)

STATE DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants Governor Lee, Commissioner Schwinn, Executive Director Morrison, members of the Tennessee State Board of Education, in their official capacities, and the Tennessee State Board of Education ("State Defendants") move under Fed. R. Civ. P. 56(a) and LR 56.01 for judgment as a matter of law. The State Defendants are entitled to judgment as a matter of law because (1) sovereign immunity bars this suit; (2) Plaintiff lacks standing; (3) Plaintiff fails to establish an equal-protection claim; and (4) Plaintiff fails to establish a Title IX claim.

In support of this motion, the State Defendants file separately a statement of undisputed material facts and declaration with exhibits that establish there is no dispute of material fact. They also rely on a memorandum of law that conclusively determines the State Defendants are entitled to judgment as a matter of law.

CONCLUSION

For the reasons stated, this Court should grant the State Defendants' motion for summary judgment.

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of this Motion for Summary Judgment has been served through the e-filing system on October 7, 2022, to:

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